



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/92 (08-03)  
Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

### Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

on January 24, 2006  
Date

*Kristina Bolcar*

Signature

**Kristina Bolcar**

Typed or printed name of person of signing Certificate

**Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.**

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2



**WHITEMAN OSTERMAN & HANNA LLP**

ATTORNEYS AT LAW

ONE COMMERCE PLAZA ALBANY, NEW YORK 12260

TEL 518.487.7600 FAX 518.487.7777

woh.com

**Sander Rabin MD JD**

**Convergent Technology Patent Law Group<sup>SM</sup>**

Direct Dial: 518.487.7683 srabin@woh.com

January 24, 2006

Commissioner of Patents  
Box 1450  
Alexandria, VA 22313-1450


**Re: United States Nonprovisional Patent Application**  
**Title: MODEL FOR MUTUALLY EXCLUSIVE DOMAIN**  
**FOLDING MOLECULAR SWITCH**  
**USPTO Docket No. RFSUNY-3681 R1407**  
**US Serial No. 10/802,516**

Dear Sir:

Enclosed is a Response to a Restriction Requirement and corresponding paperwork for the above-referenced matter, which are being submitted for filing with the United States Patent and Trademark Office.

Very truly yours,

**Convergent Technology Patent Law  
Group**

  
Sander Rabin MD JD

TROY OFFICE:

Two  
Irving Place

Troy,  
New York  
12180-4417

Tel  
518.272.7962

Fax  
518.274.2424

srabin@  
convergentIP  
.com

Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicant(s) : Stewart Loh, et al.**  
**Appl. No. : 10/802,516**  
**Filed : 03/17/2004**  
**Title : MODEL FOR MUTUALLY EXCLUSIVE DOMAIN FOLDING  
MOLECULAR SWITCH**  
**Art Unit : 1631**  
**Examiner : Pablo Whaley**  
**Dkt. No. : RFSUNY-3681 R1407**

---

Honorable Commissioner For Patents  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Response to Restriction Requirement**

Sir:

In response to the Restriction Requirement dated November 2, 2005,

Applicant hereby provisionally elects:

- **Group 1** comprising claims 1-11 drawn to a model for a mutually exclusive folding domain molecular switch including a fusion protein, classified in class 703, subclass 11; and,
- **Ligand Binding** as a first controllable effector signal of Specie A; and,
- **Ph** as second controllable effector signal of Specie A; and,

- Insert domains and target domains that are disabled from simultaneously coexisting in their respective **folded** conformations as the insert domain and target domain of Specie B.

This election is made with without traverse, and Applicant hereby reserves the right to file a divisional application in connection with unelected claim 12.